

Presentment Date and Time: September 18, 2015 at 12:00 p.m. (ET)
Objection Deadline: September 17, 2015 at 4:00 p.m. (ET)

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*Counsel for the Post-Effective Date Debtors
and The ResCap Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

_____)	
In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
_____)	

**NOTICE OF PRESENTMENT OF STIPULATION AND ORDER PURSUANT TO
11 U.S.C. § 362(d) MODIFYING THE AUTOMATIC STAY IMPOSED BY 11 U.S.C. § 362(a)**

PLEASE TAKE NOTICE that the undersigned will present the attached proposed
*Stipulation and Order Pursuant to 11 U.S.C. § 362(d) Modifying the Automatic Stay Imposed by
11 U.S.C. § 362(a)* (the “**Stipulation and Order**”), to the Honorable Martin Glenn, United
States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New
York (the “**Bankruptcy Court**”), Alexander Hamilton Custom House, One Bowling Green,
New York, New York 10004, Room 501, for signature on **September 18, 2015 at 12:00 p.m.**
(Prevailing Eastern Time).

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Stipulation and
Order must be made in writing, conform to the Federal Rules of Bankruptcy Procedure, the

Local Bankruptcy Rules for the Southern District of New York, and the Notice, Case Management, and Administrative Procedures approved by the Bankruptcy Court [Docket No. 141], be filed electronically by registered users of the Bankruptcy Court's electronic case filing system, and be served, so as to be received no later than **September 17, 2015 at 4:00 p.m. (Prevailing Eastern Time)**, upon (a) counsel for The ResCap Liquidating Trust, Morrison & Foerster LLP, 250 West 55th Street, New York, NY 10019 (Attn: Norman S. Rosenbaum, Erica J. Richards, and James A. Newton); (b) co-counsel for The ResCap Liquidating Trust, Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, NY 10036 (Attn: Kenneth H. Eckstein, Douglas H. Mannal, and Joseph A. Shifer); (c) the Office of the United States Trustee for the Southern District of New York, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, NY 10014 (Attn: Tracy Hope Davis, Linda A. Riffkin and Brian S. Masumoto); (d) the Office of the United States Attorney General, U.S. Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530-0001 (Attn: U.S. Attorney General, Eric H. Holder, Jr.); (e) Office of the New York State Attorney General, The Capitol, Albany, NY 12224-0341 (Attn: Nancy Lord and Enid N. Stuart); (f) Office of the U.S. Attorney for the Southern District of New York, One St. Andrews Plaza, New York, NY 10007 (Attn: Joseph N. Cordaro); (g) counsel for Ally Financial Inc., Kirkland & Ellis LLP, 153 East 53rd Street, New York, NY 10022 (Attn: Richard M. Cieri); (h) counsel to Barclays Bank PLC, as administrative agent for the DIP lenders, Skadden, Arps, Slate, Meagher & Flom LLP, Four Times Square, New York, NY 10036 (Attn: Ken Ziman & Jonathan H. Hofer); (i) counsel for Ocwen Loan Servicing, LLC, Clifford Chance US LLP, 31 West 52nd Street, New York, NY 10019 (Attn: Jennifer C. DeMarco & Adam Lesman); (j) counsel for Berkshire Hathaway, Inc., Munger, Tolles & Olson LLP, 355 South Grand Avenue, Los Angeles, CA 90071 (Attn: Seth Goldman &

Thomas B. Walper); (k) Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346 (if by overnight mail, to 2970 Market Street, Mail Stop 5-Q30.133, Philadelphia, PA 19104-5016); (l) Securities and Exchange Commission, New York Regional Office, 3 World Financial Center, Suite 400, New York, NY 10281-1022 (Attn: George S. Canellos, Regional Director); and (m) counsel for the Requesting Party, Rosicki, Rosicki, & Associates, P.C., 51 E. Bethpage Road, Plainview, NY 11803 (Attn: Eric S. Sheidlower).

PLEASE TAKE FURTHER NOTICE that, if no objections to the Stipulation and Order are timely filed, served and received in accordance with this Notice, the Court may enter the Stipulation and Order without further notice or hearing.

Dated: September 10, 2015
New York, New York

Respectfully submitted,

/s/ Norman S. Rosenbaum
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*Counsel for the Post-Effective Date Debtors
and The ResCap Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, et al.,

Debtors.

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Case No. 12-12020 (MG)

Chapter 11

Jointly Administered

STIPULATION AND ORDER PURSUANT TO 11 U.S.C. § 362(d)
MODIFYING THE AUTOMATIC STAY IMPOSED BY 11 U.S.C. § 362(a)

WHEREAS BB&T Mortgage (“**Requesting Party**”) asserts that it holds a lien on the lands and premises located at 716 71st Avenue, Capitol Heights, MD 20743 (the “**Mortgaged Property**”);

WHEREAS the relevant land records reflect that Homecomings Financial, LLC (“**Homecomings**”), one of the above-captioned debtors (the “**Debtors**” and, together with Requesting Party, the “**Parties**”) previously owned the Mortgaged Property, but the land records do not currently reflect Homecomings’ subsequent transfer of the Mortgaged Property to third-party, Prosper Osei-Wusu;

WHEREAS the Requesting Party having requested (the “**Request**”) that the ResCap Liquidating Trust (the “**Liquidating Trust**”), as successor in interest to the Debtor pursuant to the terms of the chapter 11 plan [Docket No. 6030] (the “**Plan**”) confirmed in the above-captioned chapter 11 cases, agree to stipulate to relief from the automatic stay to permit the Requesting Party to commence an action to foreclose its interest in the Mortgaged Property and to quiet title in favor of Requesting Party;

WHEREAS the Liquidating Trust, following a review of the Debtors' records, has determined that to the best of its knowledge neither it nor any of the Debtors holds an interest in the Mortgaged Property;

WHEREAS the Debtors have agreed to consent to the Request on the terms and conditions contained in this Stipulation and Order;

NOW, THEREFOR, it is hereby stipulated and agreed as between the Parties to this Stipulation and Order, through their undersigned counsel; and after due deliberation and sufficient cause appearing, it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is granted as set forth herein.
2. To the extent applicable, the automatic stay imposed in this case by section 362(a) of the Bankruptcy Code (the "**Stay**") is modified under section 362(d) of the Bankruptcy Code to the extent necessary to allow Requesting Party to commence and complete an action to foreclose its interest in the Mortgaged Property and to quiet title in favor of Requesting Party and to name Debtor Homecomings Financial, LLC as a defendant in such action for the limited purposes set forth in this Stipulation and Order; provided, however, that nothing contained in this Stipulation and Order shall be deemed to modify the Stay to permit the Requesting Party or any other person or entity to assert any monetary claims or any other form of equitable relief against the Debtors, the Liquidating Trust, the Borrower Claims Trust (as defined in the Plan), or any of their respective affiliates, directors, officers, employees, agents, attorneys and other professionals and such parties respective successors and assigns.
3. Nothing in this Stipulation and Order shall be deemed to affect in any way the rights of any entity, including the Debtors and the Liquidating Trust, to contest the validity,

priority, or amount of any or all of Requesting Party's lien in the Mortgaged Property with respect to any other lien on the Mortgaged Property in any proceeding involving the Mortgaged Property.

4. This Stipulation and Order may not be modified other than by a signed writing executed by the Parties hereto or by further order of the Court.

5. This Stipulation and Order may be executed in multiple counterparts, each of which shall be deemed an original but all of which when taken together shall constitute one and the same instrument.

6. Pursuant to Bankruptcy Rule 4001(a)(3), the 14-day stay of this Stipulation and Order imposed by such Bankruptcy Rule is waived. Requesting Party is authorized to implement the provisions of this Stipulation and Order immediately upon its entry.

7. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and interpretation of this Stipulation and Order.

<p>HOMEcomings FINANCIAL, LLC</p> <p>By: <u>/s/ Norman S. Rosenbaum</u> Norman S. Rosenbaum Erica J. Richards James A. Newton MORRISON & FOERSTER LLP 250 West 55th Street New York, New York 10019 Telephone: (212) 468-8000 Facsimile: (212) 468-7900</p> <p><i>Counsel for the Post-Effective Date Debtors and The ResCap Liquidating Trust</i></p>	<p>BB&T MORTGAGE</p> <p>By: <u>/s/ Eric S. Sheidlower</u> Eric S. Sheidlower ROSICKI, ROSICKI, & ASSOCIATES, P.C. 51 E. Bethpage Road Plainview, New York 11803 Telephone: (516) 741-2585 Facsimile: (516) 873-7243</p> <p><i>Counsel for BB&T Mortgage</i></p>
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APPROVED AND SO ORDERED

This ____ day of September, 2015, in New York, NY.

HONORABLE MARTIN GLENN
UNITED STATES BANKRUPTCY JUDGE